United Nations S/2002/149

Security Council

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Letter dated 5 February 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government and with reference to the letter dated 15 January 2002 addressed to you by the Permanent Representative of Saudi Arabia to the United Nations (S/2002/71), in which an attempt is made to justify Saudi Arabia's expropriation of the Iraqi crude-oil pipeline, I should like to inform you that the rationale given is untenable and has no basis in international law or even in the Security Council resolutions relating to Iraq, despite their unjust character. The Government of the Republic of Iraq affirms that Saudi Arabia's decision to expropriate the Iraqi pipeline constitutes illegal seizure of assets whose ownership by Iraq is uncontested and that Iraq will pursue all means of legal redress in order to secure the return of its property. I refer in this connection to the facts adduced by the Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq in his letter dated 12 June 2001 addressed to you (S/2001/588, annex).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Abdul Munim **Al-Kadhe**
Chargé d'affaires a.i.

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Identical letters dated 5 February 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to inform you that the Turkish armed forces have embarked on yet another new series of operations involving armed aerial military aggression, committing the violations of Iraq's airspace indicated hereunder.

1. At 1028 hours on 15 January 2002 a Turkish formation consisting of two F-4 aircraft and two F-16 aircraft violated Iraq's airspace from the area of the Iraq-Iran-Turkey tripoint opposite the Kani Rash area. The aircraft overflew areas of Rawanduz to the north of Dokan lake.

2. Between 1020 and 1315 hours on 16 January 2002 there were three Turkish aerial violations in the area of the Iraq-Iran-Turkey tripoint opposite the Kani Rash area. The Turkish aircraft overflew the Rawanduz area and an area north of Dokan lake.

3. At 1235 hours on 17 January 2002 a Turkish formation consisting of two F-4 aircraft violated Iraq's airspace from the area of the Iraq-Iran-Turkey tripoint to the north of Dokan lake. The two aircraft returned to Turkish territory at 1245 hours.

4. On 21 January 2002 two Turkish formations violated Iraq's airspace. Their flight path covered the entire Rawanduz and Shaqlawah areas. The violations spanned 35 minutes, and:

(a) In the first, a Turkish formation consisting of two F-16 aircraft penetrated east of Baibo district at 1115 hours; and

(b) In the second, a Turkish formation consisting of two F-4 aircraft penetrated from the Kani Rash area at 1148 hours.

These new Turkish incursions into Iraq's airspace are part of the series of flagrant violations being committed by Turkish armed forces against the sovereignty, independence and territorial integrity of the Republic of Iraq. They are associated with the facilities that Turkey provides for United States and British warplanes in the aggression they have been committing against Iraq since 1991, thereby violating its obligations under international law, the Charter of the United Nations and the principles of good neighbourliness.

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The Government of the Republic of Iraq condemns the continuing violations of Iraq's airspace and territory in the north of the country by the Turkish armed forces, it affirms its full and legitimate right to defend itself, and it considers that Turkey bears full responsibility under international law for the consequences of its ongoing aggression, its violations of Iraq's sovereignty, territorial integrity and airspace and its having exposed Iraq's security and safety to grave risks.

We hope that the United Nations will fulfil its responsibilities and that it will urge the Turkish Government to comply with the provisions of the Charter of the United Nations and the norms of international law by ceasing forthwith its military aggression and its blatant interference in Iraq's internal affairs and by withholding the facilities it provides for the ongoing United States and British aggression against Iraq.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Abdul Munim **Al-Kadhe**
Chargé d'affaires a.i.

United Nations A/56/812–S/2002/151

General Assembly
Security Council

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General Assembly
Fifty-sixth session
Agenda item 42
The situation in the Middle East

Security Council
Fifty-seventh year

Letter dated 25 January 2002 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the Final Statement of the Al-Quds Committee issued by the Organization of the Islamic Conference, which met under the chairmanship of His Majesty Mohammed VI, King of Morocco, on 25 January 2002 at Marrakesh, Morocco (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 42, and of the Security Council.

(*Signed*) Mohamed **Bennouna**
Ambassador
Permanent Representative

02-24673 (E) 120202 130202

Annex to the letter dated 25 January 2002 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General

[Original: Arabic, English and French]

Final Statement of 19th Session of the Al-Quds Committee

Marrakech January 25, 2002

Upon a gracious invitation from His Majesty King Mohammed VI, Sovereign of the Kingdom of Morocco, chairman of Al- Quds committee, the latter held its nineteenth session in Marrakech, Kingdom of Morocco, on Friday 11 Dul Quida 1422 (25 January 2002) to examine the serious and critical situation through which the cause of Palestine and Al Quds Al-Sharref are going as a result of the continued Israeli aggression against the Palestinian people and the attempts of the Israeli Government to cripple the Palestinian authority.

The meeting recorded the forced absence of the Palestinian President His Excellency Yasser Arafat due to the arbitrary decision taken by the Israeli authorities to restrain his movements. Attending the session were their Excellencies the Ministers of Foreign Affairs, as well as the delegations of States that are members of the Committee and the Secretary General of the Organization of the Islamic Conference.

His Majesty Mohammed VI, Chairman of Al- Quds Committee delivered an opening speech in which he stressed the solidarity of the Muslim Ummah with the Palestinian people and their legitimate leadership represented by the National Palestinian Authority.

His Majesty also underlined the fact that the present difficult circumstances through which the Palestinian issue is going require adhering to realism and having a good sense of responsibility. His Majesty then appealed to the human consciousness and the international community to put an end to the sharon's arrogance and take the kind of action that would spare the region and the whole world tragedies while they can overcome them.

His Majesty also reaffirmed that the Muslim Ummah is committed to a comprehensive, just and lasting peace, one that will enable the Palestinian people to recover its legitimate rights and establish its independent state with Al-Quds Al-Shareef as its capital.

M. Farouk Kaddoumi the minister of Foreign affairs of the state of Palestine delivered the message of President Yasser Arafat to His Majesty and the heads of the delegations participating in the session.

President Arafat invited the participants to forward a clear message on behalf of the Islamic States, to the whole world exhorting it to work towards ending the war that Israel is waging against the Palestinian people, providing international protection to the Palestinian people and creating an international mechanism that would oblige Israel to abide by international legality and the signed agreements, terminate its occupation and dismantle settlements as that would constitute the ultimate guarantee for the achievement of peace and security in the region.

The members of the Committee, under the Chairmanship of His Majesty King Mohammed VI, started their deliberations concerning the present situation, after which they issued the following appeal to the international community.

1- The committee commends the responsible measures taken by the Palestinian leadership as expressed in its commitment to a unilateral ceasefire.

The committee highly appreciates the self-restraint of the Palestinian Authority despite the unabated ferocious Israeli aggression directed against it and reaffirms its support to the resistance of the Palestinian people and their blessed Intifadah.

The Committee stresses that the achievement of a just and lasting peace in the Middle East was and remains the main objective of the member States of the Organization of the Islamic Conference, on the basis of the United Nations resolutions and the principle of "Land for Peace".

2- The committee expresses its condemnation of the escalation with which Israel responds to the Palestinian appeasement measures, and reminds their international community that the continuation of the Israeli occupation is the cause of the explosive situation in the region as it was directed at besieging the headquarters of President Yasser Arafat, who was duly elected by the Palestinian people, and restrain his movement, demolishing houses, displacing hundreds of families, killing children and destroying the basic infrastructure and Palestinian institutions, in addition to assassinations, blockades and closures.

3-The committee reaffirms that the Islamic states are active actors of the international community and its institutions and will not remain silent.

They will use all the opportunities available within international institutions to put an end to the Israeli aggression and to the Israeli occupation of the Palestinian land.

4- The committee calls upon the united states, as the sponsor of the peace process, to take immediate and firm action to oblige Israel to halt its aggression against the Palestinian people, and reaffirms that Israel's behaviour is likely to trigger reactions at a time of global consensus reached in the aftermath of the criminal acts perpetrated on September 11th against innocent civilians and institutions in the United States of America. The world has indeed reached an agreement concerning the eradication of terrorism and its causes with a view to ensuring stability and security in the world.

5- The committee expressed its support to all efforts and initiatives aimed at achieving a just and comprehensive peace that guarantees security and stability of the region, and enables the Palestinian people to enjoy all its rights including its right to establish an independent Palestinian state with Al-Quds Al Sharref as its capital. In this connection, the Committee reiterates its opposition to any attempt by Israel to undermine the foundations of peace embodied in the principle of " Land for Peace", international legality and the agreements concluded between the National Palestinian Authority and previous Israeli governments.

6- The Committee invites the international community to assume its responsibilities vis-à-vis the serious and blatant violations against the Palestinian people, and calls upon the Security Council, in particular, to carry out its duties concerning the maintenance of international peace and security by virtue of the United Nations charter, and adopt a resolution calling for the immediate deployment of a multinational force for the protection of the Palestinian people. The council should also work towards the implementation of its resolutions so as to preserve its credibility as a United Nations Organ.

7- The Committee notes that the Israeli government has not responded to any appeal or attempt from international mediators.

It has, instead, continued to ignore the rules of international law, the decisions and resolutions of the United Nations as well as the signed agreements. The Committee is of the view that the issue must be brought back to the Security Council in order to enable this organ to assume its responsibility.

In view of the serious and explosive situation prevailing in the occupied territories, a situation that threatens peace in the whole world, it has become imperative for the international community to assume its responsibility by exercising pressure on Israel so that it halts its aggression, withdraws its forces immediately from the Palestinian zones, lifts the siege on the headquarters of the Palestinian president, and takes the necessary measures to achieve peace in the region in order to create the conditions that are conducive to the revival of the peace process and to the resumption of negotiations between the two parties without any preconditions.

All these measures should be accompanied and supported with deployment of international observers to supervise the implementation of the Mitchell's Report and Tenet's Plan, through a clearly defined mechanism and according to a precise timetable.

The Committee is convinced that the ending of the practices and illegal measures of the occupying Israeli authorities would create con ditions conducive to the return to calm, and the resumption of negotiations from the point at which they were interrupted, and would contribute to the concretization of the call of President Bush and his Secretary of State for the establishment of the inde pendent Palestinian state in conformity with Security Council resolutions 242 and 338.

The committee expresses its deep appreciation and gratitude to His Majesty Mohammed VI, Sovereign of the Kingdom of Morocco, for his relentless endeavours, at the Arab, Islamic and international levels, for the support of the cause of Palestine and Al Quds Al Shareef, and for convening this important session in Marrakech.

The Committee also expresses its thanks and appreciation to the Government of his Majesty and the Moroccan people for the warm welcome and hospitality extended to the participating delegations.

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Security Council

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Letter dated 14 December 2001 from the President of the Governing Council of the United Nations Compensation Commission addressed to the President of the Security Council

The Governing Council of the United Nations Compensation Commission has concluded its forty-second session, which was held at Geneva from 11 to 13 December 2001. Representatives of Kuwait, Iraq, the Sudan, Turkey and Palestine addressed the Council during its opening plenary meeting. The statements of the delegations are being sent with the original of this letter.

During the session the Council considered four reports and recommendations made by the Panels of Commissioners in the D, E2 and E3 categories of claims. The reports on category D claims are concerned with the review of individual claims for damages above US$ 100,000, the report on category E2 claims is concerned with the review of claims filed on behalf of corporations and other business entities not incorporated in Kuwait, and the report on category E3 claims is concerned with the review of non-Kuwaiti construction and engineering claims. The tables provide details of the amounts of compensation claimed in the reports and the amounts awarded by the Governing Council.

The Governing Council considered the report of the Executive Secretary: summary of activities, covering the period from 1 August to 31 October 2001. The report covers the processing of claims, the withdrawal of claims and the payment of approved claims and also includes the 2001 progress report on the Compensation Commission's work programme (1997-2003).

The Council discussed several issues relating to the processing and payment of claims, including the sixteenth report of the Executive Secretary pursuant to article 41 of the Provisional Rules for Claims Procedure, and approved corrections to certain category A and category C claims. The Council also considered the establishment of a final date for considering requests for article 41 corrections to category A and category C claims. The Council decided, in the light of the fact that the Commission is approaching the end of its work programme and the need for such requests to be received in sufficient time to allow the secretariat to consider them, that the final date for the receipt of such requests will be 31 December 2002, and that requests received after that date will not be considered. The Council requested Governments to inform their claimants of this deadline.

The Council also considered previously made requests from a number of Governments concerning the filing and processing of claims. With regard to the request of the Government of Lebanon concerning the late filing of 16 individual

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claims in category A, the Council requested the secretariat to obtain further specific information from the claimants, after which time the Council will readdress this issue. With regard to the request of the Government of Sri Lanka concerning the reconsideration of over 4,000 individual claims in category A that were previously rejected for lack of sufficient evidence, the Council was unable to reach a consensus to allow the request, but stated that this does not preclude the possibility that the Council may further consider the request at a future date. With regard to the request of the Government of the Sudan concerning adjustments to the amount of compensation awarded to certain category A claimants, the Council requested the secretariat to obtain, through the relevant claimant Governments and international organizations, precise information as to the number of category A claimants who requested on their claim form, and were entitled to receive, the higher compensation amount but were awarded the lower amount of compensation. As Governments and international organizations provide the requested paper claim forms the secretariat will report on such submissions to the Governing Council by means of the next report pursuant to article 41.

In the light of the increasing number of requests being made to the Council by Governments concerning various issues related to claims, the Council decided that, where it is unable to dispose of the issues raised in the requests in a satisfactory manner, having regard to the existing rules, the Council may, where appropriate, defer further consideration of such requests until an appropriate time before the end of the claims review process.

The Council considered the request of the Permanent Observer Mission of Palestine to the United Nations Office at Geneva concerning the late filing of a number of Palestinian claims. The Governing Council, being concerned that the individuals wishing to file claims possibly did not have the opportunity to do so within the relevant filing deadline, requested that the claims be registered with the Commission and put before the category D Panels of Commissioners. The Commissioners will review the claims if they determine in each case that the claimants did not have a full and effective opportunity to file the claim within the filing deadline, taking into account the particular circumstances of these claimants, and therefore qualify for late filing under the Commission's established criteria. The Council also gave the Palestinian Authority the opportunity to submit claims, by 1 July 2002, on behalf of other individuals who were similarly affected and unable to file claims within the filing deadline.

The Council discussed the intervention made by the Government of Turkey at the opening plenary meeting concerning the procedure for commencing the determination of rates of interest on awards of compensation, and referred this issue to a future informal meeting of the Working Group.

The Council also had a brief discussion of the request of the Executive Secretary for guidance regarding the note verbale received from the Permanent Mission of Iraq, dated 4 December 2001, concerning the implementation of Governing Council decision 124 on the provision of technical assistance to Iraq with respect to claims for environmental damage filed with the Commission. The Governing Council decided that the views expressed by the delegations during the course of that brief discussion, as well as fuller views that may be expressed subsequently by individual delegations, will be conveyed to the Executive Secretary.

The Council considered and took note of the report of the Executive Secretary on the distribution of payments and transparency, and the return of undistributed funds, and requested the secretariat to continue to inform the Council of the reports of Governments and international organizations on the distribution of payments and the return of undistributed funds.

The Council also received the report of the Committee on Administrative Matters on its twelfth meeting, at which the Committee considered and approved, with some amendments, the proposed budget for the biennium 2002-2003 in the amount of $82,209,800.

Finally, the Governing Council decided to hold its forty-third session from 12 to 14 March 2002.

(*Signed*) Sverre Bergh **Johansen**
President of the Governing Council

Annex I

Summary of recommendations

A. Report and recommendations made by the D2 Panel of Commissioners concerning part two of the eighth instalment of individual claims for damages above $100,000 (category D claims) (S/AC.26/2001/25)

Country or international organization	*Number of claims recommended for payment*	*Number of claims not recommended for payment*	*Amount of compensation claimed (US$)*	*Amount of compensation recommended (US$)*
Canada	-	1	141 787.25	nil
Egypt	2	1	1 832 223.34	87 365.48
France	-	2	1 719 395.61	nil
India	9	6	19 027 543.43	374 120.74
Israel	3	5	3 031 008.00	137 340.72
Jordan	2	-	2 804 349.78	399 302.00
Kuwait	92	2	42 687 755.59	29 016 844.38
Lebanon	2	-	346 421.00	202 249.00
Pakistan	25	4	6 344 134.93	1 631 207.79
Spain	-	1	1 852 175.00	nil
Syrian Arab Republic	1	-	188 927.34	66 326.56
United Kingdom	5	4	2 887 371.32	183 371.22
United States	12	5	2 317 642.53	472 602.69
Yemen	2	-	3 814 533.00	144 432.00
UNHCR Canada	1	-	118 601.55	29 944.05
Total	**156**	**31**	**89 113 869.66**	**32 745 106.63**

B. Report and recommendations made by the D1 Panel of Commissioners concerning part two of the ninth instalment of individual claims for damages above $100,000 (category D claims) (S/AC.26/2001/26)

Country or international organization	*Number of claims recommended for payment*	*Number of claims not recommended for payment*	*Amount of compensation claimed (US$)*	*Amount of compensation recommended (US$)*
Australia	2	-	530 349.82	111 818.49
Canada	2	1	582 920.00	132 142.80
France	1	1	1 590 109.04	14 459.52
India	11	9	3 986 953.69	308 912.61
Ireland	2	-	436 683.67	132 322.42
Israel	1	-	1 250 000.00	379 464.81
Jordan	42	16	27 021 929.20	4 016 752.18
Kuwait	108	7	52 481 306.41	35 653 364.49
Pakistan	5	-	1 216 814.67	285 941.42
Sudan	7	-	3 405 391.30	483 301.97
Sweden	1	2	1 119 657.81	30 000.00
Syrian Arab Republic	7	6	2 123 665.62	621 027.36
United Kingdom	7	7	1 900 025.02	534 935.46
United States	1	2	796 622.36	75 772.50
Yemen	1	-	362 768.17	61 721.68
UNDP Washington	1	-	188 317.00	25 898.00
UNHCR Canada	-	2	6 075 000.00	nil
UNRWA Gaza	3	-	523 889.27	125 588.84
Total	**202**	**53**	**105 592 403.05**	**42 993.424.55**

C. Report and recommendations made by the Panel of Commissioners concerning the ninth instalment of E2 claims (S/AC.26/2001/27)

Country or submitting entity	*Number of claims recommended for payment*	*Number of claims not recommended for payment*	*Amount of compensation claimed (US$)*	*Amount of compensation recommended (US$)*
Australia	1	-	69 356	16 901
Bangladesh	1	-	9 512 034	1 349 396
Belgium	-	2	1 013 801	nil
Cyprus	1	-	640 500	124 445
Egypt	2	1	12 536 131	74 021
France	6	2	15 002 180	1 643 780
Germany	2	2	1 032 890	717 373
Greece	1	10	3 942 817	19 530
India	2	1	262 645	17 931
Ireland	2	-	31 384 845	10 915 327
Israel	-	1	271 930	nil
Italy	4	1	6 632 697	588 049
Japan	-	1	262 565	nil
Jordan	3	2	375 972 998	1 471 590
Netherlands	1	1	5 972 395	346 616
Panama	1	-	193 476	134 875
Philippines	1	-	792 278 680	8 703 733
Poland	3	-	1 849 018	422 483
Saudi Arabia	12	4	26 476 595	2 973 732
Singapore	-	2	525 269	nil
Turkey	4	2	12 889 449	239 672
United Arab Emirates	1	-	3 817 000	577 725
United Kingdom	33	7	31 777 695	6 707 146
United States	7	1	35 656 732	1 390 779
Carmel School (claim No. 4002392)	1	-	1 225 149	517 692
Palestine Red Crescent Society, Kuwait Branch (claim No. 4002390)	1	-	1 225 260	54 118
United Arab Shipping Group (claim No. 4002423)	1	-	10 964 463	4 136 903
Total	**91**	**40**	**1 383 388 570**	**43 143 817**

D. Report and recommendations made by the Panel of Commissioners concerning the sixteenth instalment of E3 claims (S/AC.26/2001/28)

Country	*Number of claims recommended for payment*	*Number of claims not recommended for payment*	*Amount of compensation claimed (US$)*	*Amount of compensation recommended (US$)*
China	3	-	30 581 009	3 795 337
Croatia	2	-	82 889 721	341 097
France	-	4	24 012 884	nil
India	1	-	18 810 436	1 974
Japan	-	1	411 404	nil
Jordan	-	1	31 420 807	nil
Netherlands	1	-	28 410 266	96 714
Spain	-	1	190 581	nil
The former Yugoslav Republic of Macedonia	1	-	1 079 859	25 907
Turkey	1	-	38 261 010	9 585 969
United Kingdom	1	-	623 173	3 707
Total	**10**	**7**	**256 691 150**	**13 850 705**

Annex II

Documents before the Compensation Commission at its forty-second session

1. Report and recommendations made by the D2 Panel of Commissioners concerning part two of the eighth instalment of individual claims for damages above $100,000 (category D claims) (S/AC.26/2001/25).

2. Decision concerning part two of the eighth instalment of individual claims for damages above $100,000 (category D claims) (S/AC.26/Dec.141 (2001)).

3. Report and recommendations made by the D1 Panel of Commissioners concerning part two of the ninth instalment of individual claims for damages above $100,000 (category D claims) (S/AC.26/2001/26).

4. Decision concerning part two of the ninth instalment of individual claims for damages above $100,000 (category D claims) (S/AC.26/Dec.142 (2001)).

5. Report and recommendations made by the Panel of Commissioners concerning the ninth instalment of E2 claims (S/AC.26/2001/27).

6. Decision concerning the ninth instalment of E2 claims (S/AC.26/Dec.143 (2001)).

7. Report and recommendations made by the Panel of Commissioners concerning the sixteenth instalment of E3 claims (S/AC.26/2001/28).

8. Decision concerning the sixteenth instalment of E3 claims (S/AC.26/Dec.144 (2001)).

9. Sixteenth report of the Executive Secretary pursuant to article 41 of the Provisional Rules for Claims Procedure (S/AC.26/2001/29).

10. Decision concerning corrections pursuant to article 41 of the Provisional Rules for Claims Procedure (S/AC.26/Dec.145 (2001)).

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Letter dated 8 February 2002 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council

The legal opinion provided by Mr. Hans Corell, the Under-Secretary-General for Legal Affairs and Legal Counsel, on 29 January 2002 was meant for the Security Council as a political body. Since this opinion was widely disseminated, it is the duty of the Kingdom of Morocco, from the point of view of international law, to convey to you the following clarification:

In his letter of 13 November 2001, the President of the Security Council had requested Mr. Hans Corell to give his opinion on the legality of the oil prospecting contracts signed by the Moroccan Government with the United States company Kerr-McGee and the French company Total Fina Elf. The Legal Counsel, after pointing out that the Moroccan Government had given him all the necessary information, concluded that the two contracts, 'which were the subject of the request by the Security Council, were not illegal in themselves". The question addressed to the Legal Counsel therefore was given the appropriate response, namely that the Kingdom of Morocco had acted in complete legality.

In addition, the Secretary-General of the United Nations and the Security Council are making efforts, which fall within their responsibilities, to initiate a political solution to the regional dispute over the "Western Sahara". Accordingly, in his report of 24 April 2001, the Secretary-General said that he did "believe that substantial progress has been made towards determining whether the Government of Morocco as the administrative power in Western Sahara is prepared to offer or support some devolution of authority for all the inhabitants and former inhabitants of the Territory that is genuine, substantial and in keeping with international norms" (see S/2001/398, para. 19). The status of administrative power, and not administering power (in the sense of Article 73 of the Charter), was, moreover, referred to by the Legal Counsellor.

On the basis of the aforementioned report of 24 April 2001, the Personal Envoy of the Secretary-General, Mr. James Baker III, proposed a draft framework agreement to the parties, approved by the Security Council in its resolution 1359 of 29 June 2001, which encourages them to find a political solution on the basis of broad delegation of powers to elected institutions, within the framework of Moroccan sovereignty.

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The Kingdom of Morocco hopes that the negotiations recommended by the Security Council will begin as soon as possible in order to arrive at a lasting solution to this regional dispute.

I should be grateful, Sir, if you would have this letter issued as a document of the Security Council.

(*Signed*) Mohamed **Bennouna**
Ambassador
Permanent Representative of the Kingdom of Morocco
to the United Nations

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Security Council

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Letter dated 6 February 2002 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 4 February 2002, which I have received from the Secretary-General of the North Atlantic Treaty Organization (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

02-24786 (E) 110202

Annex

Letter dated 4 February 2002 from the Secretary-General of the North Atlantic Treaty Organization to the Secretary-General

In accordance with Security Council resolution 1088 (1996), I attach the monthly report on the operations of the Stabilization Force (see enclosure). I would appreciate your making this report available to the Security Council.

(*Signed*) George **Robertson**

Enclosure

Monthly report to the United Nations on the operations of the Stabilization Force

1. Over the reporting period (1-31 December 2001) there were almost 18,000 troops deployed in Bosnia and Herzegovina and Croatia with contributions from all the NATO allies and from 15 non-NATO countries.

2. During the period under review, the overall situation in Bosnia and Herzegovina remained relatively stable, although there was an increase in inter-ethnic tension between Bosnian Croats and Bosniacs in Stolac near the site where the rebuilding of a mosque is under way.

3. The Stabilization Force (SFOR) continues to contribute towards the maintenance of a safe and secure environment in Bosnia and Herzegovina, monitor compliance by the Entity Armed Forces, conduct inspections and consolidation of weapons storage sites, provide support to the international organizations working in theatre, and provide support to the Federation authorities in collecting weapons and ammunition in the framework of Operation Harvest.

4. On 14 and 15 December, SFOR supported the Federation authorities in an operation to search the premises of a non-governmental organization, the Global Relief Foundation (GRF), in Sarajevo, Visoko, Kakanj and Travnik. The operation, which was part of an SFOR campaign against international terrorism, was carried out under the direction of Allied Forces, Southern Europe, and in coordination with a search of the Foundation's premises in Kosovo. The search in Bosnia and Herzegovina resulted in the arrest of seven people who are being held by the Bosnian authorities.

5. On 21 December, in the latest development in a criminal investigation of weapons smuggling rings in Bosnia and Herzegovina, a Bosnian Brigadier General was arrested for suspected weapons smuggling. The Commander of the Federation Army Joint Command has acknowledged that members of the Federation Army have been involved in arms smuggling.

Cooperation and compliance by the parties

6. The situation in theatre remained relatively calm throughout the reporting period, with the entities in substantial compliance with the military provisions of the Peace Agreement. There were no restrictions on the freedom of movement of either SFOR troops or the civilian population, and there were no attacks directed against SFOR.

7. During the period under review, SFOR troops conducted 70 weapons storage site inspections: 28 Bosnian Serb; 16 Bosniac; 16 Bosnian Croat; and 10 Federation. During routine inspection on 3 December, SFOR found several seals broken in a weapons storage site near Tomislavgrad. Five thousand rounds of 7.62 mm and 900 rounds of 5.56 mm ammunition were missing. On 16 December, SFOR seized approximately seven tons of weapons and ammunition from 12 illegal weapons

storage sites in the Prijedor area. In another search operation, carried out on 17 December in the same area, local police discovered 18,000 rounds of ammunition as well as grenades and other munitions.

8. SFOR troops monitored 199 training and movement activities during the reporting period: 105 Bosnian Serb; 43 Bosniac; 13 Bosnian Croat; and 38 Federation.

9. Over the period, six mine-clearing activities were monitored: 4 Bosniac and 2 Bosnian Croat.

Cooperation with international organizations

10. Within capabilities and in accordance with its mandate, SFOR continues to provide assistance to the international organizations in theatre, including the United Nations Mission in Bosnia and Herzegovina, the International Police Task Force (IPTF), the Office of the High Representative, the International Tribunal for the Former Yugoslavia, the Organization for Security and Cooperation in Europe and the Office of the United Nations High Commissioner for Refugees (UNHCR).

11. On 3 and 4 December, and again on 22 December, SFOR supported local police during an inter-ethnic dispute between local Bosniacs and Bosnian Croats at the site where the mosque in Stolac is being rebuilt.

12. To help implement the decision taken by the High Representative to disburse 5,000 convertible marks to each of the estimated 35,000 small depositors of the Hercegovacka Banka throughout Bosnia and Herzegovina, SFOR provided security support to the Office of the High Representative in carrying out this task during the period from 7 to 29 December.[1]

13. SFOR is providing facilities and Multinational Specialized Unit instructors in support of the IPTF initiative to train Federation local police in countering civil disturbances. The first phase of the training will take place in January 2002, and the second between March and October.

14. On 28 December, the management of the intermediate airspace, between 10,000 and 29,000 feet, over Bosnia and Herzegovina was transferred to Croatia Control Limited, which operates on behalf of the Bosnian authorities. The lower portion, below 10,000 feet, continues to be controlled by SFOR. At the request of the Bosnian Department of Civil Aviation, SFOR will continue to provide search and rescue coverage until the end of 2002.

Displaced persons and refugees

15. SFOR support to UNHCR in creating a safe and secure environment during 2001 contributed to the return of a significant number of displaced persons and refugees to Bosnia and Herzegovina. Of a total of 1.8 million people displaced in the war, about 15 per cent (810,000 persons) have returned to their pre-war homes. Of the remaining 990,000 persons, about half are still internally displaced within the country.

Outlook

16. Although the overall security situation in Bosnia and Herzegovina remained stable during the reporting period, the effects of a poor economy, organized crime and corruption, inter-ethnic tension and disruptive local groups continue to pose all together a risk to stability

Notes

[1] The High Representative decided to establish the provisional administration of the Hercegovacka Banka on 5 April 2001 following the concerns expressed by the Peace Implementation Council on the corruption hindering the economic reform of Bosnia and Herzegovina, and on the lack of transparency in the ownership of the bank.

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General Assembly
Fifty-sixth session
Agenda item 166
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 8 February 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest acts of Palestinian terrorism directed against Israel.

This afternoon, several masked Palestinians attacked an Israeli couple as they strolled along the Armon Hanatsiv promenade in Jerusalem. The woman was stabbed multiple times and critically wounded and was taken to a nearby hospital. Two of the attackers were apprehended by the police, the rest remain at large.

In a separate attack that occurred at approximately 8 p.m. (local time) on Wednesday, 6 February, a Palestinian terrorist disguised as an Israeli soldier infiltrated Moshav Hamra in the Jordan Valley, whereupon he entered the residence of the Ohana family and took the occupants hostage. He then murdered a mother and her daughter, Miri Ohana, age 40, and Yael Ohana, age 11. St.-Sgt. Moshe Mejos Mekonan, age 33, was also killed in the course of the infiltration and several other Israelis, including civilians, were wounded.

This attack comes amidst two other alarming incidents that occurred on Wednesday. In one incident, an alert Israeli bus driver helped avert a suicide bombing when he spotted a suspicious passenger with wires protruding from his coat. The driver alerted Israeli soldiers at a nearby checkpoint who detained the terrorist and located his explosive belt. Police sappers later detonated the explosives in a controlled explosion.

Also on Wednesday, Israeli soldiers seized eight Kassam-2 rockets, complete with warheads and launchers. The rockets, which have a range of 10 to 12 kilometres and are capable of carrying a 4 to 6 kilogram warhead, were hidden in a truck among sacks of flour and crates of fruits and vegetables. The rockets, which were produced in the Palestinian-controlled town of Nablus, were en route to Jenin, which would have put them in range of several Israeli cities.

These incidents are the latest in the continuing Palestinian campaign of terrorism directed against Israel. Previous attacks have been detailed in my letters dated 28 January 2002 (A/56/798-S/2002/126), 22 January 2002 (A/56/788-

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S/2002/104), 18 January 2002 (A/56/781-S/2002/86), 16 January 2002 (A/56/774-S/2002/73, 11 January 2002 (A/56/771-S/2002/47), 4 January 2002 (A/56/766-S/2002/25), 13 December 2001 (A/56/706-S/2001/1198), 4 December 2001 (A/56/678-S/2001/1150), 30 November 2001 (A/56/670-S/2001/1141), 27 November 2001 (A/56/663-S/2001/1121), 12 November 2001 (A/56/617-S/2001/1071), 5 November 2001 (A/56/604-S/2001/1048), 24 October 2001 (A/56/506-S/2001/1011), 19 October 2001 (A/56/492-S/2001/990), 17 October 2001 (A/56/483-S/2001/975), 8 October 2001 A/56/450-S/2001/948), 5 October 2001 (A/56/444-S/2001/943), 3 October 2001 (A/56/438-S/2001/938), 24 September 2001 (A/56/406-S/2001/907), 20 September 2001 (A/56/386-S/2001/892), 17 September 2001 (A/56/367-S/2001/875), 7 September 2001 (A/56/346-S/2001/858), 4 September 2001 (A/56/331-S/2001/840), 30 August 2001 (A/56/325-S2001/834), 27 August 2001 (A/56/324-S/2001/825), 13 August 2001 (A/56/294-S/2001/787), 9 August 2001 (A/56/286-S/2001/780), 8 August 2001 (A/56/280-S/2001/775), 6 August 2001 (A/56/272-S/2001/768), 27 July 2001 (A/56/225-S/2001/743), 26 July 2001 (A/56/223-S/2001/737), 17 July 2001 (A/56/201-S/2001/706), 13 July 2001 (A/56/184-S/2001/696), 3 July 2001 (A/56/138-S/2001/662), 2 July 2001 (A/56/131-S/2001/656), 21 June 2001 (A/56/199-S/2001/619), 19 June 2001 (A/56/98-S/2001/611), 18 June 2001 (A/56/97-S/2001/604), 13 June 2001 (A/56/92-S/2001/585), 11 June 2001 (A/56/91-S/2001/580), 4 June 2001 (A/56/85-S/2001/555), 30 May 2001 (A/56/81-S/2001/540), 25 May 2001 (A/56/80-S/2001/524), 18 May 2001 (A/56/78-S/2001/506), 11 May 2001 (A/56/72-S/2001/473), 9 May 2001 (A/56/69-S/2001/459), 1 May 2001 (A/55/924-S/2001/435), 23 April 2001 (A/55/910-S/2001/396), 16 April 2001 (A/55/901-S/2001/364), 28 March 2001 (A/55/863-S/2001/291), 27 March 2001 (A/55/860-S/2001/280), 26 March 2001 (A/55/858-S/2001/278), 19 March 2001 (A/55/842-S/2001/244), 5 March 2001 (A/55/821-S/2001/193), 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

The State of Israel holds the Palestinian Authority responsible for the continuation of terrorist operations against Israel in light of its ongoing role in fostering and supporting hatred and terrorism against Israelis, its role in helping to acquire increasingly deadly weapons to target Israeli population centres and its refusal to take concerted action to uproot the infrastructure of terror that has taken root in the territories under its control, including the arrest of known terrorists still at large and protected in its territory. Such behaviour underscores the Palestinian leadership's unwillingness to become partners in the campaign against terrorism and the insincerity of its repeated assertions to be working towards a cessation of violence and terrorism and a resumption of peaceful negotiations.

It is truly unfortunate that, even at this late stage, the Palestinian Authority has still failed to fully resolve itself to fight terror. The international community must therefore express its total rejection and condemnation of these acts while making it abundantly clear that support or tolerance for the targeting and threatening of any civilian population is absolutely unacceptable.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-sixth session of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations S/2002/156

Security Council

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8 February 2002

Original: English

Letter dated 4 February 2002 from the Secretary-General to the President of the Security Council

I have the honour to refer to Security Council resolution 1383 (2001) of 6 December 2001, in which the Council, inter alia, endorsed the Agreement on provisional arrangements in Afghanistan pending the re-establishment of permanent government institutions (S/2001/1154), reaffirmed its full support for my Special Representative and endorsed the responsibilities entrusted to him in annex II to the aforementioned Agreement. It also declared its willingness to take further action, on the basis of a report that I would submit, to support the interim institutions established by the above-mentioned Agreement, and in due course to support the implementation of the Agreement.

My Special Representative has now held extensive consultations with the Afghan Interim Administration on the assistance that may be required from the United Nations to support the aforementioned Agreement, which shall be addressed in a report that I plan to submit to the Council in the second half of February 2002. That report will contain recommendations for the establishment of a new United Nations assistance mission in Afghanistan, which would be an integrated mission building upon existing structures and would ensure the coordination of all United Nations activities in the country.

Meanwhile, it is essential that advance preparations be initiated now so that the mission, when authorized, will have the capacity to become operational immediately and to fully and effectively fulfil its tasks. I intend, therefore, subject to the concurrence of the Council, to take the administrative and financial measures necessary to facilitate the establishment and support of an integrated United Nations mission in Afghanistan, whose proposed functions and responsibilities will be presented in my forthcoming report.

I must make clear that, unless the Secretariat is enabled to move forward with preparations in this critical initial phase, valuable time will be lost in making the mission operational in the difficult conditions of which the members of the Council are fully aware.

I should be grateful if you would bring this matter to the attention of the members of the Council.

(*Signed*) Kofi A. **Annan**

02-24804 (E) 110202

United Nations S/2002/157

Security Council

Distr.: General
8 February 2002

Original: English

Letter dated 8 February 2002 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 4 February 2002 (S/2002/156), concerning your intention to take the administrative and financial measures necessary to facilitate the establishment and support of an integrated United Nations mission in Afghanistan, has been brought to the attention of the members of the Council. They take note of the intention stated in your letter, on the understanding that the interim administrative and financial measures taken will be without prejudice to final decisions on the financing of the mission.

(*Signed*) Adolfo Aguilar **Zinser**

02-24810 (E) 110202

United Nations S/2002/158

Security Council

Distr.: General
8 February 2002

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Letter dated 8 February 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Mali to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the final version of the assessment of the work of the Security Council during the Mali Presidency, in December 2001 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Cheickna **Keita**
Chargé d'affaires a.i.

02-24838 (E) 190202

Annex to the letter dated 8 February 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Mali to the United Nations addressed to the President of the Security Council

[Original: English/French]

Assessment of the work of the Security Council during the presidency of Mali (December 2001)

During December 2001, the second presidency of Mali of the Security Council set for itself the priority objective of placing questions relating to Africa back on the Council's agenda at a time when international events were dominated by the struggle against international terrorism and the situation in Afghanistan. The Mali presidency, in keeping with the objective of promoting transparency in the Council's working methods, also maintained the new practice of establishing the list of speakers for public meetings of the Council through the drawing of lots.

The programme of work of the Security Council for the month of December 2001 largely reflected this objective.

Africa

Central African Republic

On 6 December, the members of the Council were briefed by the Under-Secretary-General for Political Affairs, Kieran Prendergast, on the situation in the Central African Republic and the activities of the United Nations Peace-building Support Office in the Central African Republic (BONUCA).

Council members took note of the conclusions of the recent summits of the Community of Sahelo-Saharan States (COMESSA) and the Central African Economic and Monetary Community (CEMAC), held respectively at Khartoum and Libreville (4 and 5 December 2001).

Members of the Council expressed their profound concern at the continuing acts of violence and the exacerbation of internal tensions in the Central African Republic.

Council members reiterated the appeal for dialogue and calm which they had made to the parties.

Members of the Council expressed their concern at the gravity of the economic situation and encouraged the international community to make further efforts on behalf of the Central African Republic. Council members called on the Central African authorities to continue the reforms undertaken, particularly with regard to the resumption of political dialogue, the improvement of public finances and the restructuring of the armed forces. They welcomed the holding in Paris, on 20 December 2001, of the meeting of donors. They encouraged the donors to honour, as soon as possible, the commitments made at the meeting held in New York in May 2000.

Council members reaffirmed their support for the efforts of the Representative of the Secretary-General in the Central African Republic.

The President informed the members of the Council about the conclusions reached at the interview that he had given on 5 December to the Prime Minister and Head of Government of the Central African Republic, Martin Ziguélé. At that meeting, the Central African Prime Minister informed the President of the Council of the conclusions reached at the COMESSA and CEMAC summits. Mr. Ziguélé encouraged the Council to intercede with the international financial institutions in order to support the efforts aimed at economic recovery and the restructuring of the Central African army.

At the end of the meeting, the President of the Council was authorized to make a statement to the press.

Burundi

On 7 December, Council members held consultations on the situation in Burundi. During those consultation, the Under-Secretary-General for Political Affairs introduced the interim report of the Secretary-General on the situation in Burundi (S/2001/1076) containing, inter alia, a recommendation on strengthening the United Nations Office in Burundi.

The Under-Secretary-General explained the reasons why the strengthening of the Office was requested.

Council members supported that recommendation, considering that it aimed at implementing the Arusha Peace Agreement.

The Under-Secretary-General also provided an update on the political, military and security situation in Burundi, after which Council members condemned the unjustifiable attacks that had been carried out by armed groups since 1 November 2001, date of the establishment of the transitional government of Burundi. They called upon the armed groups to halt their hostilities and to begin, without any conditions, negotiations with the transitional government. In that regard, members of the Council welcomed the mission entrusted to the President of Gabon, Omar Bongo, and the Deputy President of South Africa, Jacob Zuma, to facilitate the negotiations between the armed groups and the Government. Council members commended the efforts of the South African protection unit and encouraged the transitional government to set up speedily a Burundian special protection unit. Lastly, Council members recalled the role that should be played by the international community with regard to Burundi, in particular calling upon the international community to honour its commitments made at the donor conferences held in Paris in December 2000 and Geneva in December 2001.

At the end of the meeting, the President of the Council was authorized to make a statement to the press.

Democratic Republic of the Congo

On 12 December, Council members held consultations during which they considered the addendum to the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/1072). The Chairman of the Panel of Experts, Ambassador Mahmoud Kassem, introduced the main recommendations contained in the addendum, including the recommendation concerning a moratorium on the importing of certain precious products (coltan, diamonds, gold and timber) from the areas of the Democratic Republic of the Congo controlled by foreign forces or held by rebel groups.

Members of the Council welcomed the report of the Panel of Experts, which, like the final report, confirmed the link between the illegal exploitation of natural resources and the continuation of the conflict in the Democratic Republic of the Congo. They agreed in principle on the extension of the mandate of the Panel of Experts for a further period of six months and decided to hold an open debate on 14 December on the addendum to enable, in particular, the States referred to to express their view on the matter.

On 14 December, the Security Council held an open debate during which it considered the addendum to the report of the Panel of Experts on the Illegal Exploitation of the Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (see S/PV.4437).

The Minister for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, the Vice-Prime Minister and Minister for Foreign Affairs of Uganda, the Minister for Foreign Affairs of Zimbabwe, the Vice-Minister for Foreign Affairs of the United Republic of Tanzania and the Special Envoy of the President of Rwanda for the Democratic Republic of the Congo expressed the position of their Governments on the question.

Following the open debate, the Council adopted, on 19 December, a presidential statement (S/PRST/2001/39), by which it, inter alia, extended the mandate of the Panel of Experts for a period of six months at the end of which the Panel should report to the Council. The Panel is to submit an interim report after three months.

On 19 December, Council members held consultations during which they were briefed by the Under-Secretary-General for Peacekeeping Operations, Jean-Marie Guéhenno.

The Under-Secretary-General informed the members of the Council of the latest developments concerning the political situation, particularly the preparations for the inter-Congolese dialogue, the military situation with the troop movements in the eastern Democratic Republic of the Congo, and the activities of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

Council members expressed concern at the troop movements in the eastern Democratic Republic of the Congo. They called upon all the parties to refrain from any military operations in the eastern part of the country and encouraged them to cooperate with

MONUC and the Joint Military Commission. Council members welcomed the recent progress made in Abuja with a view to preparing the inter-Congolese dialogue and encouraged the Government, RCD/Goma and MLC to continue their efforts to make progress in the preparations for the inter-Congolese dialogue.

At the end of those consultations, the President was authorized to make a statement to the press.

Sierra Leone

On 13 December, the Security Council was briefed by Ambassador Iftekar Chowdhury (Bangladesh), the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone.

In his briefing, Ambassador Chowdhury stated that a second report was expected from the Government of Sierra Leone on the implementation of its Certificate of Origin regime for diamonds. He noted that the regime had made it possible to limit the flow of Liberian diamonds to Sierra Leone, while recognizing the continuation of the illicit trafficking in diamonds, and encouraged the Government of Sierra Leone to strengthen its capacity to monitor the diamond fields. Ambassador Chowdhury also informed the Council members that he had received, on 12 December 2001, a letter from the Permanent Representative of Sierra Leone indicating his Government's agreement to an extension by 12 months of the prohibition on the import of rough diamonds from Sierra Leone imposed under paragraph 1 of resolution 1306 (2000).

Council members expressed concern at the reverse flow of Liberian diamonds to Sierra Leone, following the adoption of resolution 1343 (2001) concerning Liberia.

At the end of the meeting, the President of the Council was authorized to make a statement to the press, in which Council members stated their readiness to extend the prohibition on the export of Sierra Leonean diamonds.

To that end, the Council adopted, on 19 December 2001, resolution 1385 (2001).

West Africa

On 18 December, the Security Council considered, at an open meeting (see S/PV.4439), the development of the situation in West Africa, eight months after the publication of the report of the Inter-Agency Mission in May 2001.

During the open debate, the Council was briefed by the Assistant Secretary-General for Political Affairs, Ibrahima Fall, on the progress made during the period under consideration, namely the positive development of the peace process in Sierra Leone, the holding of the national reconciliation forum in Côte d'Ivoire, the suspension of the legislative elections in Guinea, the sending of a World Bank and United Nations Development Programme mission to Guinea-Bissau, the holding of democratic elections in Ghana and Gambia, and the forthcoming opening of the United Nations Office for West Africa.

Nevertheless, the Assistant Secretary-General noted that the risks of political, economic and social instability were still perceptible in the West African subregion, as demonstrated by the lack of funds for the disarmament, demobilization and reintegration programme in Sierra Leone, the continued fighting in Liberia, the unbridled circulation of small arms and light weapons, the phenomenon of child soldiers and trafficking in children, the extreme poverty of the populations, the weakness of the economies, and the absence of justice and national reconciliation.

Council members and delegations participating in the debate:

- Paid a tribute to the work of the President of Mali, Alpha Oumar Konaré, as head of the Economic Community of West African States (ECOWAS) and commended the decisive role which that subregional organization continued to play for peace and development in West Africa;
- Noted the positive development of the peace process in the Mano River Union area;
- Expressed their support for the United Nations Office for West Africa;
- Stressed the need to strength the capacities of ECOWAS in the areas of conflict prevention and the maintenance and consolidation of peace;
- Also stressed the urgent need for solutions to the problems of the refugees and displaced persons;
- Reaffirmed the need to improve the coherence of the work of the Council and other intergovernmental bodies;

- Stressed the need for a comprehensive and integrated approach in the search for lasting solutions to the priority needs and problems of West Africa.

The Security Council adopted on 19 December a presidential statement (S/PRST/2001/38) concerning West Africa: a comprehensive and integrated approach in the search for lasting solutions to priority needs and problems.

At the meeting of the Executive Board of UNICEF held on 12 December, the President of the Security Council stressed the importance of creating opportunities to promote cooperation and collaboration between the intergovernmental organs of the United Nations system that have the capacity to affect situations on the ground. In this connection, we may seek to establish joint mechanism designed to ensure that the actions and decisions of UNICEF and of the Security Council, respectively, are complementary and mutually reinforcing, while fully respecting the scope of their own mandates. West Africa provides concrete examples of the opportunities for work that are now open to us. We can continue to ensure that our decisions have a positive impact on the lives of children affected by armed conflict.

Angola

On 21 December, the Security Council held an open briefing on the situation in Angola (see S/PV.4444).

The Secretary-General's Special Adviser on Africa, Ibrahim Gambari, made an oral report on the mission to Angola during that meeting.

In his report, the Special Adviser considered that there now existed a possible way to advance the peace process in Angola and that the United Nations should explore it. He also indicated that the Government of Angola was favourable to the Church establishing contacts with UNITA through the United Nations. Lastly, he referred to the humanitarian situation, and stated that there were 4.1 million displaced persons out of a total population of 12 million in Angola.

The Security Council members reaffirmed the validity of the Lusaka Protocol as a viable basis for the peace process in Angola. They regretted that UNITA was refusing to implement that instrument and stressed the relevance of the sanctions regime. Members of the Security Council also stressed the dynamic role of Angolan civil society.

With regard to the humanitarian situation, its was suggested that a meeting of the Security Council should be held on that question.

Middle East

Iraq

UNMOVIC

During the consultations held on 6 December, Hans Blix, Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), presented his seventh quarterly report, dated 29 November 2001 (S/2001/1126).

In introducing his report, the Executive Chairman said that, in the light of the events of 11 September 2001, it was urgent for the international community to combat the proliferation of weapons of mass destruction.

The Executive Chairman began his report by stressing the lack of cooperation on the part of Iraq. He stressed, in particular, that cooperation with the Commission would be the only way for Iraq to prove that it respected the relevant Security Council resolutions rather than unilateral allegations or statements.

He reported on the work accomplished by the College of Commissioners on the definition of key tasks relating to unresolved disarmament issues, which should be neither superfluous nor exaggerated.

The Executive Chairman said he was encouraged by the Security Council's adoption of resolution 1382 (2001) on 29 November 2001. The unanimity shown by the Council on that occasion proved that a better idea of the status of prohibited Iraqi programmes could be obtained only if the inspectors returned.

Council members welcomed the important preparatory work accomplished by UNMOVIC which, if it obtained Iraqi authorization, would be ready to begin work immediately.

Council members stressed the importance of the inspectors deploying with the cooperation of Iraq.

Council members welcomed the adoption of resolution 1382 (2001), which, while reaffirming the Council's commitment to a comprehensive settlement of the Iraqi question, should pave the way for providing the clarification necessary for the implementation of resolution 1284 (1999).

Repatriation of Kuwaiti and third-country nationals and return of Kuwaiti property

During the consultations held on 20 December, the High-level Humanitarian Coordinator, Yuly Vorontsov, introduced the sixth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999) on the repatriation or return of all Kuwaiti and third-country nationals and the return of Kuwaiti property, including archives, seized by Iraq.

In his introduction, the Coordinator indicated that no progress had been achieved in dealing with the question of Kuwaiti and third-country nationals. The lack of progress was due to Iraq's refusal to cooperate by turning over the information in its possession on 605 persons detained in Kuwait during its occupation.

The Coordinator, who said he was ready to meet with Iraqi authorities, stressed the need for urgent international action to change Iraq's attitude on this strictly humanitarian question.

The Coordinator said that there had been no developments with regard to Kuwaiti property; the national archives of Kuwait had not yet been restored to their proper location.

Council members expressed their unanimous support for the work of the High Coordinator and his efforts to repatriate Kuwaiti and third-country nationals and return Kuwaiti property. They expressed their deep concern about the fate of Kuwaiti and third-country nationals still missing and the hope that the question would continue to be viewed as strictly humanitarian by all interested parties.

Council members also said they were gravely concerned at the persistent refusal of the Government of Iraq to cooperate by returning stolen Kuwaiti property, in particular the national archives of Kuwait, and called on Iraq to resolve this problem urgently.

At the conclusion of the consultations, the President was authorized to make a statement to the press.

The situation in the Middle East, including the Palestinian question

In December, the Council continued its active monitoring of the situation in the Middle East, including the Palestinian question, in the light of the Israeli-Palestinian crisis.

On 13 December, the Permanent Representative of Egypt, Chairman of the Group of Arab States, in a letter addressed to the President of the Security Council, requested "the convening of an immediate meeting of the Security Council to consider the extremely dangerous situation in the occupied Palestinian territory and take the necessary action in that regard" (S/2001/1191).

On that same date, in another letter addressed to the President of the Security Council, the representatives of Egypt and Tunisia transmitted a draft resolution for expeditious action by the Council.

On 13 and 14 December, Security Council members engaged in intense informal consultations on that draft resolution, by which, inter alia, the Council demanded the immediate cessation of all acts of violence, provocation and destruction and called on the two sides to start the comprehensive and immediate implementation of the recommendations contained in the report of the Sharm El-Sheikh Fact-finding Committee (Mitchell report); and encouraged all concerned to establish a monitoring mechanism to help the parties implement the recommendations contained in the Mitchell report and to help create a better situation on the ground in the occupied Palestinian territories.

On 14 December, in the absence of a consensus among Council members, the text was issued provisionally at the sponsors' request (S/2001/1199).

On that same day, the Security Council, at the request of the Group of Arab States, held an urgent meeting during which it considered the situation in the Middle East, including the Palestinian question (see S/PV.4438).

At the conclusion of the meeting, the text contained in document S/2001/1199 was put to a vote. The result of the vote was 12 in favour, 1 against and 2 abstentions. The draft resolution was not adopted because of the negative vote of a permanent member of the Security Council.

Asia and the Pacific

Afghanistan

In December, the Security Council was regularly (5, 14, 19 and 20 December) briefed by the Secretariat on developments in the political, security and humanitarian situation in Afghanistan, particularly the developments in the negotiation process in Bonn and the establishment of the transitional institutions deriving from the Bonn Agreement.

In response to the positive developments in the situation in Afghanistan, the Security Council adopted, on 6 December, resolution 1383 (2001), endorsing the Agreement on provisional arrangements in Afghanistan, concluded on 5 December 2001 in Bonn.

With a view to the establishment of the Afghan Interim Authority, the Security Council, on 20 December, adopted resolution 1386 (2001) authorizing the deployment of a multinational force in Afghanistan for six months.

Bougainville, Papua New Guinea

During the consultations held on 16 December, Council members heard a briefing by Noel Sinclair, head of the United Nations Political Office in Bougainville.

Council members supported a one-year renewal of the mandate of the United Nations Political Office in Bougainville, stressing that its mandate would extend to the collection of arms.

They welcomed the signature of the Arawa Agreement and encouraged the parties to implement it as soon as possible.

At the conclusion of these consultations, the President was authorized to make a statement to the press.

Europe

Bosnia and Herzegovina

Introducing the interim report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (UNMIBH), the Assistant Secretary-General for Peacekeeping Operations, Hédi Annabi, stressed the major challenges which remained to be taken up there, inter alia, the strengthening of the border police service, the dismissal ("de-authorization") of police officers for wartime conduct, the resolution of difficulties in the judiciary system and the equipping of riot control units. With a view to taking up these challenges, the Assistant Secretary-General reiterated an appeal to the international community for contributions.

Council members welcomed the results achieved with regard to the activities of the border police service, the control of trafficking in human beings and in drugs and counter-terrorism. They found it regrettable that police efforts were not yet effectively followed up by the judiciary, which was making only slow progress. Public confidence, not only in the judiciary apparatus, but also in the police services, was of paramount importance to their effective functioning, Council members stressed.

Council members believed that, if it continued along this path, UNMIBH would be able to conclude its essential tasks before the end of its mandate in December 2002. They noted the ongoing process of streamlining the civilian presence in Bosnia under the auspices of the Peace Implementation Conference and in that regard the proposal of the Special Representative of the Secretary-General in Bosnia and Herzegovina, Jacques Paul Klein, to "recalibrate" the current structure of the civilian presence on the ground.

Cyprus

On 7 December, the Security Council, in accordance with resolution 1353 (2001), annex II, section A, held a private meeting with countries contributing troops to the United Nations Peacekeeping Force in Cyprus (UNFICYP).

During the meeting, the Council and the representatives of troop-contributing countries heard a briefing by the Director of the Europe and Latin America Division of the Department of Peacekeeping Operations, Joachim Hütter, who said he considered that the situation in Cyprus was calm.

During the consultations held on 12 December, Council members heard a briefing by the Special Adviser to the Secretary-General on Cyprus, Alvaro de Soto.

Council members welcomed the meeting held in Cyprus on 4 December 2001 between Glafcos Clerides and Rauf Denktash, respectively heads of the Greek

Cypriot and Turkish Cypriot communities, and encouraged them to make significant progress at their next meeting, scheduled for January 2002.

Council members expressed their concern about the restrictions imposed on the United Nations Force by the Turkish Cypriot authorities and the Turkish forces.

Council members reiterated their firm and unwavering support for the Secretary-General and his Special Adviser and for their continuous efforts within the framework of the establishment of a bi-zonal and bi-communal federation in Cyprus.

At the conclusion of the consultations, the President was authorized to make a statement to the press.

On 14 December, the Security Council adopted resolution 1384 (2001), in which it decided to extend the mandate of UNFICYP for a period of six months and urged the Turkish Cypriot side and Turkish forces to rescind the restrictions imposed on 30 June 2000 on the operations of the United Nations Force in Cyprus.

International Tribunal for the Former Yugoslavia

During the consultations held on 19 December, the Legal Counsel, Hans Corell, gave a briefing on the interpretation to be given to certain provisions of the statutes of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, further to the letter dated 14 November 2001 from Judge Claude Jorda, President of the International Tribunal for the Former Yugoslavia, addressed to the President of the Security Council, concerning the appointment of Judge Patrick Robinson of the Tribunal for Yugoslavia, who has double nationality (Jamaican and Saint Kitts and Nevis), to that Tribunal's Appeals Chamber.

The Legal Counsel referred to the question of the nationality of judges in other international judiciary organs, particularly the International Court of Justice and the International Tribunal for the Law of the Sea, where the principle of the customary exercise of civil and political rights prevails. He then outlined the Council's options in responding to the letter from President Jorda and the form that response might take (a letter from the President of the Security Council to Judge Jorda, a statement by the President of the Security Council or a Security Council resolution):

- The Security Council could request an advisory opinion from the International Court of Justice;
- The Council could point out to Judge Jorda the intentional absence in the statute of the International Tribunal for the Former Yugoslavia of a provision similar to article 3, paragraph 2, of the Statute of the International Court of Justice, and the President of the International Tribunal for the Former Yugoslavia would have to take this into account in his appointment of judges to the Appeals Chamber of that Tribunal;
- The Council, as a legislative authority, could consider amending the statutes of the two Tribunals to include a provision which would be identical to article 3, paragraph 2, of the Statute of the International Court of Justice.

With regard to the form that the Council's response might take, the Legal Counsel, while indicating his preference for a resolution amending the statutes of the two Tribunals, stressed that, in this particular case, the most important factor was a clear indication of the legislative authority's intentions.

Council members agreed that the question should be referred to the Informal Working Group of the Security Council on International Criminal Tribunals.

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Wrap-up

On 21 December, the Security Council held a public wrap-up meeting on its work in December 2001 (see S/PV.4445).

The meeting enabled the five outgoing non-permanent members (Bangladesh, Jamaica, Mali, Tunisia and Ukraine) to evaluate their participation in the work of the Council during the past two years. Questions of the transparency of the relations between the Council and the other organs of the United Nations system and of those between permanent and non-permanent Council members were addressed and discussed. Other, no less important issues, such as equity in dealing with conflicts in the world and the reform of the Council, were also discussed during the meeting.

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Report by the Secretary-General concerning the credentials of the deputy representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 4 February 2002 from the representative of the United States of America to the United Nations stating that Mr. Sichan Siv has been appointed deputy representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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